

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEEBA HARRIS,

Plaintiff,

-against-

PIKE COUNTY COURT OF COMMON
PLEAS; UNAUTHORIZED PERSON
HAVING CUSTODY OF PETITIONER,

Defendants.

20-CV-3987 (LLS)

ORDER

LOUIS L. STANTON, United States District Judge:

Plaintiff filed this action *pro se*. On June 8, 2020, the Court transferred the matter to the United States District Court for the Middle District of Pennsylvania. (ECF No. 2.) On January 8, 2021, the Court received from Plaintiff a letter requesting that the Court reconsider its June 8, 2020 order. (ECF No. 3.) Because this Court no longer has jurisdiction over the action, Plaintiff must make any motion challenging the transfer order in the Middle District of Pennsylvania.

DISCUSSION

The transfer of a case divests the transferor court of jurisdiction over the action. *Drabik v. Murphy*, 246 F.2d 408, 409 (2d Cir. 1957) (holding that district court did not have jurisdiction to rule on motion following physical transfer of case). The transferor court retains jurisdiction over the action only if the party seeking review acts to stay the transfer “prior to receipt of the action’s papers by the clerk of the transferee court.” *Warrick v. Gen. Electric Co.*, 40 F.3d 736, 739 (2d Cir. 1995).

The Court directed that this matter be transferred to the Middle District of Pennsylvania on June 8, 2020, and the Clerk of Court electronically transferred the case to the Middle District of Pennsylvania on the same date. Plaintiff filed the letter seeking reconsideration approximately

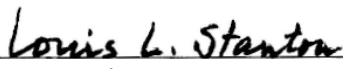
seven months later. Because this Court no longer has jurisdiction over the action, if Plaintiff wishes to challenge the transfer, she must do so in the Middle District of Pennsylvania. The Court denies Plaintiff's request for reconsideration of the order transferring this action.

CONCLUSION

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. Plaintiff's request for reconsideration (ECF No. 3) is denied. All other pending matters are terminated. The Clerk of Court is also directed not to accept any further submissions under this docket number except for papers directed to the United States Court of Appeals for the Second Circuit.

SO ORDERED.

Dated: March 18, 2021
New York, New York



Louis L. Stanton
U.S.D.J.